

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING (RULE 53(b)(1))



## FOR DESIGN OR UTILITY APPLICATIONS (DO NOT USE FOR CIPs)

Rule 53(b)(1) PATE	<u>ENT APPLICATION:</u>			o <b>=</b>				
	Continuation )							
) application under 37 CFR 1.53(b)(1)								
Divisional	)		Jnit: 1642	∞ <b>:</b> ₩				
of pending prior ap	⇒8 🚍							
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	il Hanna; Gary R. Braslawsky;	Examiner:	G. Nickol					
	dasamy Hariharan 08   933,359	Atty. Dkt.	P 0280618	1997-30-0568A				
Parent Appln. No.:	Series Code û Serial No. û	/ ktty. Ditt.	New M#	Client Ref				
Parent Filed: Sep This Appln. Filed:	otember 18, 1997 May 14, 2001		<del></del> '					
iftle: SYNERGI CANCERO	STIC COMPOSITION AND METHODS F DUS GROWTHS AND FOR RESTORING	FOR TREATIN GOR BOOSTI	G NEOPLASTIC NG HEMATOPO	OR IESIS				
Hon. Commissione	or of Patents	Date:	May 14, 200 <u>1</u>					
Washington, DC 2		(Parent Ma		99 )				
Transport Transport	7201	(. 2 2						
Sir.								
2 700								
T	o effect the above-requested filing today	<b>'</b> :						
Still	s a copy (which must be filed) of the pri	ior application	including:					
Attached 8	s a copy (willer must be med) of the pri	or application,	molaamy.					
Abstra		attached)						
<ul> <li>Specification and claims (28 pages) (must be attached)</li> <li>□ Drawings (must be attached if originally filed): 6/2 sheet(s)/set: □ 1 set informal;</li> <li>□ Formal of size</li> <li>□ A4</li> <li>□ 11"</li> </ul>								
	igs (must be attached it originally mot	<b>□</b> F	ormal of size	⊠ A4				
1A. Always X o	ne box, only:	<del></del>						
(1) ⊠ Copy	of Signed declaration or oath as originall	y filed in prior	application <u>attach</u>	<u>ed</u>				
(2) ☐ <u>NO</u> de	eclaration or fee is enclosed; therefore, the	nis is a filing ur	nder Rule 53(f).					
2. $\square$ This	s application is hereby filed by less than a	all of the invent	tors named in the	prior application. Petition is				
here	eby made requesting deletion as inventor	r(s) of the follo	wing who is/are <u>n</u>	iot inventor(s) of the				
inve	ention being claimed in this application (E	ELETE THE F	OLLOWING INV	ENTOR(S)):				
1.		2.						
3.		4.						
<u>5</u> .		6.						
7.		8.						
2.5 THE <u>INVE</u>	NTOR(S) FOR THIS NEW APPLICATION	N IS(ARE):						
1.		2.						
3.		4.						
5.		6.						
7.		8.						

3. The entire disclosure of the prior application is considered as being part of the disclosure of the accompanying application and is hereby incorporated therein by reference thereto.

Application No. Filing Date   Application No.   Filing Date   (2)   (4)   (5)   (6)   (6)   (6)   (6)   (7)								
a.								
a.								
b. Certified copy/copies previously filed on U.S. Application No. / , filed on Series code & Series code & Serial no. C. Certified copy/copies filed during International stage of PCT/ /  4(a). (a) Domestic priority is claimed from PCT/ / , filed (b) Benefit is claimed of Provisional Application No. 60/ , filed  5. Assignee (optional) IDEC Pharmaceuticals Corporation, San Diego, California  6. Attached is the following number of Assignments (including original and all later successive ones by different assignors): and respective new Cover Sheets. (Do NOT file old cover sheets.)  (Assignments in parent must be refiled with new Cover Sheets in this continuing application if you want it/them recorded against the continuing application.)  Please return the recorded Assignment to the undersigned.  The power of attorney in the prior application is to Robin L. Teskin. Reg. No. 35.030  (Name and Reg. No.)  whose current address is as in item 8 below.								
c.  Certified copy/copies filed during International stage of PCT/ /   4(a).  (a)  Domestic priority is claimed from PCT/ , filed   5.  Each Assignee (optional)  IDEC Pharmaceuticals Corporation, San Diego, California  6.  Attached is the following number of Assignments (including original and all later successive ones by different assignors): and respective new Cover Sheets. (Do NOT file old cover sheets.)  (Assignments in parent must be refiled with new Cover Sheets in this continuing application if you want it/them recorded against the continuing application.)  Please return the recorded Assignment to the undersigned.  The power of attorney in the prior application is to Robin L. Teskin, Reg. No. 35.030  (Name and Reg. No.) whose current address is as in item 8 below.								
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a. Recognize as associate attorney  (Name, Reg. No. and Address)								
(Name, Reg. No. and Address)								
Address all future communications to Intellectual Property Group of Pillsbury Winthrop LLP, Ninth Floor, East Tower 1100 New York Avenue, N.W., Washington, D.C. 20005-3918								
9. This application claims benefit of the following prior US application(s), the contents of which are incorporate	:d							
into this application by this reference:  No. 08/ 933,359 filed September 18, 1997								
No. / filed								
No. / filed								
No. PCT/ / filed , which will be a second of the second of								
designated the U.S. and that International Application was bubble was not published under PCT Acticle 21(2) English	2) in							
9(a). See the attached Preliminary Amendment, which amends the first page of the specification to claim ben of the above listed US application(s)	efit							
10. Small Entity Status → ⊠ is Not claimed ☐ is claimed (pre-filing confirmation required)								
(No.) Small Entity Statement(s) ( <u>not</u> essential since 9/8/00) were/are:    filed in above prior application   attached.								
11. Petition to extend the life of the above prior application to at least the date hereof  (one box)  is being concurrently filed in that prior application (Use Form PAT-111).  (must be)  was previously filed in that prior application (Check length of prior extension).  (X'd)  is not necessary for copendency ( <b>Double check</b> before X'ing this box).								

INFORMATION DISCLOSURE STATEMENT: Attached is Form PTO-1449 listing all of the documents cited by Applicant and the PTO in the parent application(s) relied upon under 35 USC 120 and referenced in item 9 above. Per Rule 98(d) copies of those documents are <u>not required</u> now. Please consider those documents and <u>advise</u> that they have been considered in <u>this new</u> application as by returning a copy of the enclosed Form PTO-1449 with the Examiner's initials in the left column per MPEP 609.								
13. Attached is a Rule 103(a) Petition to Suspend Action.	Attached is a Rule 103(a) Petition to Suspend Action.							
4. Reserved								
FILING FEE								
THE FOLLOWING FILING FEE IS BASED ON ->->->CLAIMS AS FILED AND CHANGED BY PRELIMINARY AMENDMENT IN ITEM 14<-<-<-								
NOTE: If box 1A2 is X'd, do not pay fees, but leave lines 15-22 and 27-32 blank.								
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26.

## ADDITIONAL FEE CALCULATION FOR PRELIMINARY AMENDMENT PER BOXES 24/25

	after	aining	Highest number previous paid for	sly		Prese Extra	nt			Additional Fee	
							<u>L</u>	arge/Smal	l Entity		File Code
27.	Total Effective Clain	ns <u>*</u>	minus **	20	=	3	x	\$18/\$9	=	\$ <u>0</u>	(103/203)
28.	Independent Claims	s <u>*</u>	minus ***	3	=	0	. x	\$80/\$40	=	+ 0	(102/202)
29.	If amendment enters first time, add (per a		tiple depend							+ 0	(104/204)
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3 <b>1</b>				plus FE	EE fro	m item	22 (	on page 3		+ 764	_
32						TOTAL	. FE	E ATTACH	<u>IED</u>	\$ 764	=
3 3 3 3 3 3 4 3	*If the entry in this space is le	ss than a entry in th	e next space, the	"Present Ex	tra" resu	ılt is "O"					
34.	**If the "Highest number previously paid for" (see item 17 above) is less than 20, write "20" in this space										
35.	If the "Highest number previou	sly paid for" (see ite	em 18 above) is le	ss than 3, wr	ite "3" in	this space	!		0	0909	
	Our Deposit Accou	nt No. 03-39	75								
	Our Order No.	037003		028061	8						
		C	<b>;</b> #		M#		_				

**CHARGE STATEMENT**: Upon the filing of a Declaration pursuant to Rule 60(b) or 60(d), the Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown above for which purpose a duplicate copy of this sheet is attached.

This CHARGE STATEMENT <u>does not authorize</u> charge of the <u>issue fee</u> until/unless an issue fee transmittal form is filed.

Pillsbury Winthrop LLP Intellectual Property Group

 By Atty:
 Robin L. Teskin
 Reg. No. 35,030

 Sig:
 Fax: (202) 822-0944

 Tel: (202) 861-3623

Atty./Sec RLT/csa

**NOTE No. 1:** File this Request in <u>duplicate</u> with 2 postcard receipts (PAT-103) & attachments **NOTE No. 2:** Is extension in parent necessary for copendency? <u>**DOUBLE CHECK** Item 11 above.</u> If yes, printout Pat-111 and head it in parent.